

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

RESIDENTIAL CAPITAL, LLC, *et al.*,

Debtors.

Case No. 12-12020 (MG)

Chapter 11

Jointly Administered

**STIPULATION AND ORDER PURSUANT TO 11 U.S.C. § 362(d)
MODIFYING THE AUTOMATIC STAY IMPOSED BY 11 U.S.C. § 362(a)**

WHEREAS LoanCare Mortgage Servicing (“**Requesting Party**”), as Servicer for Freedom Mortgage Co. asserts that it holds a mortgage and security interest on lands and premises of Richard H. Epstein with an address of 1827 County Road 1, Westtown, NY 10998 (the “**Mortgaged Property**”);

WHEREAS the relevant land records reflect that GMAC Mortgage, LLC, one of the above-captioned Debtors (the “**Debtors**” and, together with Requesting Party, the “**Parties**”) also hold a lien on the Mortgaged Property;

WHEREAS the Requesting Party has requested (the “**Request**”) relief from the automatic stay, pursuant to section 362(d) of title 11 of the United States Code (the “**Bankruptcy Code**”), to commence and complete the foreclosure of its interests in the Mortgaged Property;

WHEREAS the Debtors, following a review of their records have determined that to the best of their knowledge they no longer hold an interest in the Mortgaged Property;

WHEREAS the Debtors have agreed to consent to the Request on the terms and conditions contained in this Stipulation and Order;

NOW, THEREFOR, it is hereby stipulated and agreed as between the Parties to this Stipulation and Order, through their undersigned counsel; and after due deliberation and sufficient cause appearing, it is hereby:

ORDERED, ADJUDGED, AND DECREED THAT:

1. The Request is granted as set forth herein.
2. The automatic stay imposed in these cases by section 362(a) of the Bankruptcy Code is modified under section 362(d) of the Bankruptcy Code to allow the Requesting Party to commence and/or complete the foreclosure of the mortgage and security interest it holds on the Mortgaged Property.
3. Nothing in this Stipulation and Order shall be deemed to affect in any way the rights of any entity, including the Debtors or the ResCap Liquidating Trust, to contest the validity, priority, or amount of any or all of Requesting Party's lien in the Mortgaged Property with respect to any other lien on the Mortgaged Property in any foreclosure proceeding.
4. The Requesting Party shall provide due notice to the Debtors and Ocwen Loan Servicing, LLC¹ in connection with any action to be taken with respect to the Mortgaged Property, including, but not limited to proceeding with a sale of the Mortgaged Property.
5. By entering into this Stipulation and Order, Requesting Party hereby represents that it is an agent for and has the authority to seek relief from the automatic stay on behalf of Freedom Mortgage Company.
6. This Order may not be modified other than by a signed writing executed by the Parties hereto or by further order of the Court.

¹ Notices should be served on Ocwen Loan Servicing, LLC, at 1100 Virginia Drive, Fort Washington, PA 19034 (Attn: Peter J. Mulcahy, Esq.).

7. This Order may be executed in multiple counterparts, each of which shall be deemed an original but all of which when taken together shall constitute one and the same instrument.

8. Pursuant to Federal Rule of Bankruptcy Procedure 4001(a)(3), the 14-day stay of this Order imposed by such rule is waived. The Requesting Party is authorized to implement the provisions of this Order immediately upon its entry.

9. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation and interpretation of this Order.

GMAC MORTGAGE, LLC

LOANCARE MORTGAGE SERVICING, AS
SERVICER FOR FREEDOM MORTGAGE
CO.

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*Counsel for LoanCare Mortgage Servicing, as
Servicer for Freedom Mortgage Co.*

SO ORDERED.

Dated: March 25, 2014
New York, New York

/s/Martin Glenn
MARTIN GLENN
United States Bankruptcy Judge